

Law Enforcement (FINAL)

FOR OFFICE USE ONLY:

Version # _____

APP # 700331

ITEM 1. Proposed Project

This enforcement Project consists of law enforcement patrol activity to ensure OHV user compliance with state and federal laws on lands administered by the Klamath (KNF) and Modoc (MDF) National Forests. Because the Forests are already combined under one Patrol Captain and are administered generally as a contiguous unit as far as law enforcement activities are concerned, it is logical to combine them as one enforcement Project.

The KNF borders Oregon to the north and runs roughly to Mt. Shasta to the south. It's western side borders the Six Rivers National Forest west of the town of Happy Camp and includes the Klamath, Scott and Salmon River watersheds. On the east side the KNF borders the MDF. The MDF also runs north to the Oregon border, and is within a few miles of Nevada on it's eastern edge. The MDF borders the Shasta/Trinity and Lassen National Forests to the south.

The KNF has five Wilderness areas and MDF one. There has been intermittent OHV intrusion into these areas over the years, particularly by ATV's during big game hunting seasons (deer and bear) and OSV entry during the winter months. Historically, off road patrol activity has been minimal due to the lack of equipment. Additionally, the KNF hosts two snow parks (Deer Mtn. and Four Corners), while the MDF hosts one (Door Knob). These areas are connected by many miles of groomed trails and are heavily used by local snow machine enthusiasts, as well as riders from neighboring states, particularly Oregon. The Deer Mtn. Snow Park is the primary entry point for riders intruding onto the slopes of Mt. Shasta in the Mt. Shasta Wilderness Area, where they participate in "high marking" above tree line. Law Enforcement personnel currently have no machines to patrol the area.

As are most National Forests, the Klamath and Modoc are progressing towards a "designated route" strategy of allowable OHV use over the current "open" policy. The closing of many areas of the Forests that are now open to OHV use will create an enforcement challenge. As part of the changing strategy, several ATV "play areas" will be developed on the KNF, including "A-12" and "Humbug". These areas are currently heavily used by ATV riders as unofficial areas, but will soon require increased enforcement effort.

ITEM 2. Project Coverage

The Klamath National Forest covers approximately 1,700,000 acres and the Modoc approximately 2,000,000 acres. Because of intermixed private lands and "checkerboard" ownerships, physical patrol areas are, in reality, much larger.

ITEM 3. Describe the frequency of the patrols

Law Enforcement Officers (LEO's) will patrol high use areas (play areas and snow parks) at a minimum of three days per week, to include weekends and holidays, during high use periods. High use periods for snow parks coincide with snow fall, but generally run from November through April. ATV play areas are used year round, with highest use in Winter, Spring and early Summer. Dispersed OHV use will be monitored in conjunction with normal resource patrols.

ITEM 4. Deployment of Personnel

The Klamath National Forest currently has five law enforcement officers and the Modoc two. With occasional patrol by the Captain, eight officers will rotate patrol areas to give the best coverage. Forest Protection Officers (FPO's) will also patrol as part of their normal duties, most prominently associated with fire prevention activities.

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1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

The A-12 Play Area is the highest Spring/Summer enforcement priority for the Klamath National Forest. The area has grown in popularity in recent years with ATV and motorcycle enthusiasts, drawing many riders from Oregon. Out of bounds areas near the A-12 area are rich in cultural resources associated with the Shasta Indian Nation. The area also borders private land creating conflict with local residents.

Another enforcement priority is the Humbug Play Area due to the potential for soil erosion associated with the decomposed granite soils.

Wilderness intrusions by ATV's along the Pacific Crest Trail into the Russian Wilderness Area is an increased concern.

OSV enforcement priority is Wilderness Area entry both into the Mt. Shasta Wilderness via Deer Mtn. Snow Park and general entry into the South Warner Wilderness.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

The proposed project is specifically directed towards the enforcement aspect of OHV recreation management. Engineering, education and enforcement are ongoing processes conducted by Forest OHV management personnel to ensure sustained OHV recreation on the Forests. Enforcement personnel educate the public, and when necessary, enforce OHV and resource related regulations to provide two legs of the management triangle. The project will provide additional funding to maintain and improve the presence of law enforcement personnel.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

Law enforcement agencies with geographical and jurisdictional commonalities with the Klamath and Modoc National Forests include: Siskiyou County Sheriff's Office, Modoc County Sheriff's Office, California Dept. of Fish and Game, California Highway Patrol, and California Dept. of Forestry and Fire Protection.

The Forests currently have formal cooperative patrol agreements with both Siskiyou and Modoc County Sheriff's Offices.

Interagency cooperation is excellent between all agencies, and field officers frequently assist each other on varied assignments.

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4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? (Please select Yes or No)



Yes



No

Explain

fees recovered for privately sponsored OHV events are not a source of LE funds

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? (Please select Yes or No)



Yes



No

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

OHV safety training is required of all officers before they are allowed to operate an OHV in performance of their duties. Refreshers are conducted annually, including winter survival, avalanche awareness and basic first aid. Law Enforcement personnel are expected to maintain a high level of OHV safety awareness and share that with the public they contact. Officers stay current on all resource related issues that may effect OHV use. Archaeological Resource Training is a required prerequisite for all Forest Service LE officers.

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7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) ☒ Yes ☐ No
8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:
9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

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10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:
The Klamath/Modoc Patrol District does not operate or manage OHV recreation facilities. Forests will submit seperate applications detailing how their OHV recreation facilities are being managed.
11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) ☒ Yes ☐ No

Project Cost Estimate

FOR OFFICE USE ONLY:		Version # _____	APP # _____
APPLICANT NAME :	USFS - Klamath/Modoc NF - Patrol District		
PROJECT TITLE :	Law Enforcement (FINAL)	PROJECT NUMBER (Division use only) :	G09-02-26-L01
PROJECT TYPE :	<input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Education & Safety <input type="checkbox"/> Ground Operations <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Planning <input type="checkbox"/> Restoration		
PROJECT DESCRIPTION :	<p>This enforcement Project consists of law enforcement patrol activity to ensure OHV user compliance with state and federal laws on lands administered by the Klamath (KNF) and Modoc (MDF) National Forests. Because the Forests are already combined under one Patrol Captain and are administered generally as a contiguous unit as far as law enforcement activities are concerned, it is logical to combine them as one enforcement Project.</p> <p>The KNF borders Oregon to the north and runs roughly to Mt. Shasta to the south. It's western side borders the Six Rivers National Forest west of the town of Happy Camp and includes the Klamath, Scott and Salmon River watersheds. On the east side the KNF borders the MDF. The MDF also runs north to the Oregon border, and is within a few miles of Nevada on it's eastern edge. The MDF borders the Shasta/Trinity and Lassen National Forests to the south.</p> <p>The KNF has five Wilderness areas and MDF one. There has been intermittent OHV intrusion into these areas over the years, particularly by ATV's during big game hunting seasons (deer and bear) and OSV entry during the winter months. Historically, off road patrol activity has been minimal due to the lack of equipment. Additionally, the KNF hosts two snow parks (Deer Mtn. and Four Corners), while the MDF hosts one (Door Knob). These areas are connected by many miles of groomed trails and are heavily used by local snow machine enthusiasts, as well as riders from neighboring states, particularly Oregon. The Deer Mtn. Snow Park is the primary entry point for riders intruding onto the slopes of Mt. Shasta in the Mt. Shasta Wilderness Area, where they participate in "high marking" above tree line. Law Enforcement personnel currently have no machines to patrol the area.</p> <p>As are most National Forests, the Klamath and Modoc are progressing towards a "designated route" strategy of allowable OHV use over the current "open" policy. The closing of many areas of the Forests that are now open to OHV use will create an enforcement challenge. As part of the changing strategy, several ATV "play areas" will be developed on the KNF, including "A-12" and "Humbug". These areas are currently heavily used by ATV riders as unofficial areas, but will soon require increased enforcement effort.</p>		

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
DIRECT EXPENSES							
Program Expenses							
1	Staff						
	Law Enforcement Officers	32.000	266.000	DAY	3,922.00	4,590.00	8,512.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010
Agency: USFS - Klamath/Modoc NF - Patrol District
Application: Law Enforcement (FINAL)

3/1/2010

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	Notes : 7 LEOs, 32 total days						
	Law Enforcement Officers Notes : 7 LEO's @ 2 days overtime each. Holiday weekends.	14.000	327.000	DAY	4,578.00	0.00	4,578.00
	Other-Patrol Captain Notes : Patrol Captain	5.000	376.000	DAY	0.00	1,880.00	1,880.00
	Total for Staff				8,500.00	6,470.00	14,970.00
2	Contracts						
3	Materials / Supplies						
	Safety Equipment Notes : snowmachine packs, avalanche beacons, probes, shovels,survival gear	1.000	1500.000	YR	1,500.00	0.00	1,500.00
	Safety Equipment Notes : Goggles, gloves, helmets, suits for ATV and snow use	1.000	2000.000	YR	2,000.00	0.00	2,000.00
	Emergency Medical Supplies Notes : ATV packs, evac equipment, back boards,first aid/trauma kits	1.000	1500.000	YR	1,500.00	0.00	1,500.00
	Other-Supplies/Maintenance Notes : Supplies and maintenance - annual service, belts, plugs, oil, repairs,parts	1.000	1000.000	YR	1,000.00	0.00	1,000.00
	Total for Materials / Supplies				6,000.00	0.00	6,000.00
4	Equipment Use Expenses						
5	Equipment Purchases						
	Other-Snow Machine Trailer (enclosed, 2	1.000	6000.000	EA	6,000.00	0.00	6,000.00
	Other-ATV Trailer - 2 machine	1.000	3000.000	EA	3,000.00	0.00	3,000.00
	Other-ATV winch	2.000	750.000	EA	1,500.00	0.00	1,500.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010
Agency: USFS - Klamath/Modoc NF - Patrol District
Application: Law Enforcement (FINAL)

3/1/2010

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	Total for Equipment Purchases				10,500.00	0.00	10,500.00
6	Others						
	Training	1.000	1000.000	YR	0.00	1,000.00	1,000.00
7	Indirect Costs						
	Indirect Costs-Admin tracking / record k Notes : Admin. Assistant record keeping	5.000	266.000	DAY	0.00	1,330.00	1,330.00
Total Program Expenses					25,000.00	8,800.00	33,800.00
TOTAL DIRECT EXPENSES					25,000.00	8,800.00	33,800.00
TOTAL EXPENDITURES					25,000.00	8,800.00	33,800.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2009/2010
 Agency: USFS - Klamath/Modoc NF - Patrol District
 Application: Law Enforcement (FINAL)

3/1/2010

	Line Item	Grant Request	Match	Total	Narrative
DIRECT EXPENSES					
Program Expenses					
1	Staff	8,500.00	6,470.00	14,970.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	6,000.00	0.00	6,000.00	
4	Equipment Use Expenses	0.00	0.00	0.00	
5	Equipment Purchases	10,500.00	0.00	10,500.00	
6	Others	0.00	1,000.00	1,000.00	
7	Indirect Costs	0.00	1,330.00	1,330.00	
Total Program Expenses		25,000.00	8,800.00	33,800.00	
TOTAL DIRECT EXPENSES		25,000.00	8,800.00	33,800.00	
TOTAL EXPENDITURES		25,000.00	8,800.00	33,800.00	

Environmental Review Data Sheet (ERDS)

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ITEM 1 and ITEM 2

ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? ☐ Yes ☒ No
(Please select Yes or No)

ITEM 2

- b. Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b)) (Please select Yes or No) ☐ Yes ☒ No

ITEM 3 - Project under CEQA Guidelines Section 15378

- c. ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? ☐ Yes ☒ No
(Please select Yes or No)
- d. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. (Please select Yes or No) ☒ Yes ☐ No
- e. Other. Explain why proposed activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. DO NOT complete ITEMS 4 – 10

ITEM 4 - Impact of this Project on Wetlands

ITEM 5 - Cumulative Impacts of this Project

ITEM 6 - Soil Impacts

ITEM 7 - Damage to Scenic Resources

ITEM 8 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards.

ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) ☐ Yes ☒ No

Discuss the potential for the proposed Project to have any substantial adverse impacts to historical or cultural resources.

ITEM 10 - Indirect Significant Impacts

CEQA/NEPA Attachment